IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE EIGHTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

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WRIT PETITION NO : 11897 of 2005

Between:

Gurrala Muni Reddy S/o.Muni Reddy
R/o.Narayana Palli Village Duvvur Mandal,
Kadapa District.

..... PETITIONER

AND

1 The District Collector and Magistrate Kadapa District, Kadapa.
2 The Superintendent of Police, Kadapa.
3 The Circle Inspector of Police Mydukur, Kadapa District.
4 The Station House Oflficer P.S.Duvvur, Kadapa District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Certiorari, calling for the records relating to the Proceedings No.D.Dis No.C3/1283/M/2003 dt.26.4.2005 issued by the 1st respondent, persue and set aside the same as arbitrary, illegal, without jurisdiction, violation of principles of natural justice and also direct the respondents to consider my request for renewal of gun license as otherwise I will continue to suffer serious threat to my life and property and pass such other order or orders.

Counsel for the Petitioner: MR.CHALLA SIVASANKAR

Counsel for the Respondents: GP FOR HOME

The Court made the following :

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ORDER:

The petitioner had a licence for a 12 Bore DBBL gun which he procured in the year 1990. The licence for possessing the weapon was granted by the District Collector, Kadapa on 18-11-1989 and was renewed from time to time. The last of such renewals was upto 31-12-2003. As the licence was expiring, the petitioner applied in December, 2003 for renewal of his arms licence for the period from 01-01-2004 to 31-12-2006. Thereafter, no orders were passed by the first respondent for a considerable time. Eventually, however, by the impugned proceedings dated 26-04-2005, the first respondent rejected the petitioner's application for renewal of the arms licence, suspended the arms licence earlier granted and directed the petitioner to surrender his weapon. This decision was taken by the first respondent on the basis of a report sent up by the second respondent, who had informed the first respondent that the petitioner was involved in Cr.No.9 of 2005, wherein he was alleged to have committed offences under Sections 147, 148, 307 and 324 read with 34 IPC of Chagalamarri Police Station, Kurnool District, adjacent to the Narayanapalli village of Duvvur Mandal limits of Kadapa District, an incident in which the petitioner and six others including his two sons are alleged to have attacked their opponents causing severe bleeding injuries in an attempt on their lives.

At the stage of admission, instead of pursuing the writ petition, the learned counsel for the petitioner submits that the petitioner would like to pursue the available appellate remedy to the State Government under Section 18 of the Arms Act 1959.

In view of this submission, the writ petition is dismissed. The petitioner is at liberty to pursue the appellate remedy.

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08-06-2005

Prv/Pvks

Note:

1. Registry is directed to return the

original impugned order

filed in this writ petition to the

learned counsel for the petitioner

enabling the petitioner to pursue

appellate remedy.

2. C.C. in two days.

(B/o)

Prv/Pvks

To

1 The District Collector and Magistrate Kadapa District, Kadapa.
2 The Superintendent of Police, Kadapa.
3 The Circle Inspector of Police Mydukur, Kadapa District.
4 The Station House Oflfricer P.S.Duvvur, Kadapa District.

5 Two CD copies.

6. 1 CC to MR.SIVASANKAR

7. 2 CCs to G.P. for Home, High Court Buildings, Hyderbad (OUT).